HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25462 of 2006

Dated:08.12.2006

Between:

Deshmukh Nizam Ali Khan and others.

…Petitioner

and

The Sub-Registrar and another.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25462 of 2006

ORDER:

The petitioners herein purchased land admeasuring Ac.0.20½ cents in Survey Nos.43/4A and 43/4B situated at Kadapa Corporation area from Smt.Subbamma and two others. They submitted the duly stamped sale deed before the first respondent. Though the same was accepted for registration, it was kept as pending Document P.No.360/2006. Aggrieved by the same, the present Writ Petition is filed.

Heard the learned Counsel for the petitioners and the learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 to 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004, dated 01.09.2004.

Following the above, this Writ Petition is disposed of directing the first respondent or any other Registering Officer to accept the document presented by the petitioners and consider for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioners have any grievance, they may file appeal before the

Appellate Authority under Section 72 of the Act. Thereafter, if any adverse order is passed by the Appellate Authority, the petitioners can file a suit under Section 77 of the Act. No costs.

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(V.V.S.RAO, J)

08.12.2006

vs